Application of Marwan Qubti and Manfred Moser
Serial No.: 10/676,000
Filed: October 2, 2003
Reply to Office Action of November 28, 2006

REMARKS/ARGUMENTS

In response to the outstanding Official Action dated November 28, 2006, the Applicant hereby responds and traverses the outstanding rejection.

Claims 1-16 were objected to as having a series of informalities. It is believed that the amendments made herein correct each enumerated informality and approval of the corrections and withdrawal of the objections are both respectfully requested.

Claims 1 and 8 were rejected under 35 U.S.C. § 101 for only reciting a use and as not setting forth the steps involved in the claimed process. That rejection is traversed. Claims 1 and 8 have each been amended to refer specifically to computers and a computer network that will process tasks originated by an originator and which will be worked on by other designated personnel. Because claims 1 and 8 both refer to and include a computer and a computer network, the claims include hardware and are not, consequently, directed solely to software. The Examiner's attention is directed to page 8, paragraph 0034, where reference is made to a computer code device thereby providing support for the code device as encompassing a computer. However, the term "code device" has been removed and the term "computer" has been used throughout to avoid confusion. It is respectfully requested that the rejection under 35 U.S.C. § 101 be withdrawn and that the amendments made herein to claims 1 and 8 be approved.

Claims 1 and 8 were also rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 1 and 8 have also been amended in a manner that is believed to correct the

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stated basis for the indefinite rejection and withdrawal of the rejection under 35 U.S.C. § 112,

second paragraph, is also respectfully requested.

Claims 1 and 5-13 were rejected under 35 U.S.C. § 102)e) as being anticipated by Shea et

al., U.S. Pub. No. 2005/0197952 A1.

The Examiner takes the position that Shea et al. discloses each of the claimed features is

disclosed including a status field where the closure status is "access restricted to said personnel

other than the originator (Se Figure 16, 18-19, shows task status , enabled or disabled)."   The

Examiner also asserts that there is notification engine that automatically notifies at least one

personnel other than the originator when the task is created and at least the originator when the

status of the task is altered thereafter.

These do not disclose or suggest the invention claimed in claim 1, nor as now amended to

include the limitation that the system mandates that the originator is the only one authorized to

close and end a task.

A review of Shea et al. shows that there is no focus on an "originator" and there is no

requirement that such an originator be the only one who can close out or end a task. The

principle flow diagrams in Shea et al. seem to be Figures 7, 9 and 10. The flow of actions begins

at the top of figure 7 then from step S530 one moves to S700 at the top of Figure 9 and from the

bottom step S830 one moves to Figure 10 and step S900, with activity ending at one of the

blocks S960, S980 or S990.

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The approval in step S440 in Fig. 7 is merely for determining whether the risk is approved (See, paragraph 0110, second sentence).

While there is manager approval being referenced in block S810 in Fig. 9 as to whether an action completion is rejected or not, that does not end the task as one goes from step S810 to step S820 and then to step S830, and then onto Fig. 10. In Fig. 10 the task can end without any approval but rather only a message being sent to a manager.

In Shea's specification, at paragraph 0115, it is explained that in step S710 of Fig. 9 upon completion of an action a message is generated and forwarded to a manager but there is no requirement that or suggestion that an originator of the task be the only one who can end that task. Nor is there any suggestion that an "author" or "creator" be the one to end a task.

In paragraph 0118, the discussion for step S810 shows that upon a satisfactory completion of the action, that completion can be approved by a manager, but that does not say that any such approval is equal to or requies an end of the task, or in this case an end to the risk assessment. Rather, the control function continues to step S820 where the assignee is notified, actions taken are logged and control continues to step S830 (Goto Last Action Determination) where the text says that control ends (See paragraph 0119). However, the flow continues to S900 in Fig. 10 (Begin Last Action Determination) and in paragraph 0120 it is explained that control continues to step S910. If all actions have not been completed control continues on to step S990 where the control sequence ends. If the control was only partly effective control continues to steps S920 and S970 where a message is sent to a manager and control then ends at

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S980. If the control was ineffective control jumps to step S930 where control ends at either step S940 or continues to steps S950, where another message is sent to a manager, and then to step S960 where control ends. In each of steps S950 and S970 only a message about an action item is sent to a manager where some action is required or recommended. In each instance, however, control continues to an end point in steps S960 and S980, respectively, seemingly without any manager action or any form of mandated action. No where in these sequences does it say or suggest that only the "originator" can end a task that that individual initiated.

There is no suggestion that a "manager" is, in fact, the originator, and while the Examiner has pointed to a use of the term "author" in Fig. 21, there is no link between an author and a manager.

Independent claims 1 and 8 each now require that the system or network application mandates or provides that it is only the originator who can close and end a task. That concept is not disclosed by Shea etal.

As for the fact that Shea et al. does show enabled individuals in Fig. 19, what that sheet shows is that everyone is enabled. Further, paragraph 0135 does not discuss the "enable" sequence nor what that means, other than the status might be as an enabled user of the system.

In view of the current amendments made hereinabove, it is submitted that the pending claims, 1-20 are patentably distinct from Shea et al. and are in allowable condition, and notice to that effect is respectfully requested.

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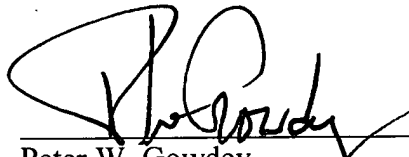Reply to Office Action of November 28, 2006

Claims 2-4 and 15-20 had not been rejected and as noted above are believed to define

patentably over Shea et al.

Consequently, it is believed that this application is in allowable condition and notice

thereof is respectfully requested. Should the Examiner feel that the discussion of any matter

would further advance the prosecution of this application it is urged that the undersigned be

called at 703-894-6404.

An early and favorable action is respectfully requested.

Respectfully submitted,

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